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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/591,528

08/24/2007

Timothy J. Fawcett

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ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.

1300 19TH STREET, N.W.

SUITE 600

WASHINGTON,, DC 20036

EXAMINER

HOQUE, FARHANA AKHTER

ART UNIT

PAPER NUMBER

2831

MAIL DATE

DELIVERY MODE

01/27/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/591,528	<b>Applicant(s)</b> FAWCETT, TIMOTHY J.	
	<b>Examiner</b> FARHANA HOQUE	<b>Art Unit</b> 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☒ Claim(s) 16-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-14 and 16-18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schucht (U.S. Patent No. 5,276,402) in view of Ford (U.S. Patent No. 5,500,598).

With respect to claim 16, Schucht discloses an apparatus for characterising a three phase transformer comprising:  
a single phase power supply (see Fig. 8); means for selectively applying power from said power supply (see Fig. 8) to pairs of input terminals of a three phase transformer [x1, x2, x3] (see Fig. 8); means for measuring the voltage between pairs (col. 7, lines 12-24) of output terminals [H1, H2, H3] (see Fig. 8) of a three phase transformer (col. 1, lines 6-7).

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Schucht does not disclose a control means comprising a processing means, the control means being operative to control said power supply, means for measuring voltages and processing means thereby to characterise a transformer.

Ford discloses a control means comprising a processing means, the control means being operative to control the power supply, means for measuring voltages and processing means thereby to characterise a transformer [22] (see Fig. 2A; also col. 3, lines 46-51).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the apparatus of Schucht to include a control means comprising a processing means, the control means being operative to control the power supply, means for measuring voltages and processing means thereby to characterise a transformer as taught by Ford to provide more accurate measurements and to be able to display the results for the testing be done (col. 8, lines 51-63).

With respect to claim 17, the combination of Schucht and Ford discloses an apparatus as claimed in claim 16 further comprising a phase meter under control of the control means [V1-V6] (see Schucht Fig. 8).

With respect to claim 18, the combination of Schucht and Ford discloses

an apparatus as claimed in claim 16 wherein the control means comprises a programmed computer [22] (see Ford Fig. 2A).

***Allowable Subject Matter***

4. Claims 1, 4, 10 and 12 are allowed.

5. Claims 2, 3 and 9 are considered to be allowable due to their dependence on allowable claim 1.

Claim 5 is considered to be allowable due to its dependence on allowable claim 4.

Claims 6 and 7 are considered to be allowable due to their dependence on allowable claim 5.

Claim 8 is considered to be allowable due to its dependence on allowable claim 7.

Claim 11 is considered to be allowable due to its dependence on allowable claim 10.

Claims 13 and 14 are considered to be allowable due to their dependence on allowable claim 12.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARHANA HOQUE whose telephone number is (571)270-7543. The examiner can normally be reached on Monday - Friday 8:30-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FARHANA HOQUE/  
Examiner, Art Unit 2831

/Diego Gutierrez/  
Supervisory Patent Examiner,  
Art Unit 2831

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